

## REMARKS

Claims 2-25, all the claims pending in the application, stand finally rejected. Applicant has amended claims 8 and 24 (addition of “a”) and has added new claims 26-31.

In each of these claims, it is recited that the input section is operated by the player whenever the player wishes to obtain mastery support information, and the processor causes the game mastery support apparatus to distribute the mastery support information when the input section is operated by the player.

### Onda

In Onda, the player can access the associated data, including the hints of the game progress, when the player satisfies the game condition which comprises a result condition that a predetermined result is achieved (cf., Col. 6, Lines 42, 43 and 51-55; Col. 9, Lines 43 and 44; and Col. 10, Lines 6-8). This is significantly different for the following reasons.

Supposing a case where a player plays a first stage of a game and the game condition is the clear of the first stage, in Onda, the player cannot obtain information corresponding to the claimed mastery support information until the player clears the first stage. However, according to the invention, the player can obtain the mastery support information whenever the player wishes so.

Claims 30 and 31 are directed to the details of the embodiment shown in Fig. 13.

### *Claim Rejections - 35 U.S.C. § 103*

**Claims 2, 3, 13, 17, 19 and 21-23 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Onda et al (6,746,333) in view of Stamper et al (6,820,265).** This rejection is traversed for at least the following reasons.

At pages 2-6 of the Office Action, the Examiner repeats the text from the previous Office Action in framing the rejection. Thus, Applicants respectfully refer to the arguments previously presented against those same rejections, as filed in the Amendment dated December 22, 2006.

The Examiner also provides in the “Response to Arguments” section at pages 8 and 9 of the Office Action a rebuttal to several arguments made by the Applicant. On the basis of the Examiner’s comments, Applicants respectfully submit that the Examiner has not fully

appreciated the distinctions between the prior art and the claimed invention. Thus, Applicants wish to emphasize those distinctions with regard to the points of rebuttal by the Examiner.

**No Collection and Storage of Player Information by Game Data Distribution Device**

As noted by the Examiner, Applicant argued at page 12 that the game data distribution device 200 in Onda does not collect information about the player or the players operation of the arcade game.

The Examiner's rebuttal at page 9 is that "the mastery support apparatus accumulates the user information items. A processing section of the game mastery support apparatus retrieves the mastery information corresponding to the accumulated information. The distribution condition is stored to a mastery status management table of the game mastery support apparatus a per-user identified basis, (see Onda col. 5, lines 50-67, col. 6 lines 1-67, Claims 2-4)." However, the text cited by the Examiner and reproduced below does NOT teach (1) the accumulation of information about each user or (2) the storage of game mastery information for each user. Applicants respectfully submit that nothing in the following text teaches an individual user-focused storage of information:

*An entire game system in accordance with an embodiment of this invention is shown schematically in FIG. 1.*

*The game system of this embodiment of the invention comprises a game machine 100, on which a game player can play a game, and a game data distribution device 200 for distributing data relating to that game to a computer terminal 400 over a network that comprises a transfer path 300.*

*The game machine 100 is an arcade game machine installed at a predetermined game site and the computer terminal 400 is a computer installed in a home.*

*In this game system, the game is performed in the sequence described below. First of all, the game player plays the game at the game machine 100 and obtains data for accessing predetermined associated data by satisfying a predetermined game condition.*

*The game player uses the access-specific data to access the game data distribution device 200 from the computer terminal 400 over the Internet. This access causes the display of a page relating to the game on the screen of the computer terminal 400. The game player can then download associated data of that game from the displayed page.*

*In this case, the associated data is data related to the game, including collectable data such as icons of game characters and game-specific data such as information on secret tricks to be used in the game. This data will be described in detail later.*

*There are various methods of distributing game-associated data in the art, such as a distribution method whereby CD-ROMs are affixed to magazines and a method whereby data is distributed for free from Internet pages.*

*However, such methods do not induce any passion for collecting associated data because there is little connection between the associated data and the game, and anyone can acquire the associated data.*

*This embodiment of the invention makes it possible for a game player to play a game on the game machine 100, then obtain access-specific data for accessing predetermined associated data by satisfying a predetermined game condition.*

*Since this is a fair situation whereby anyone can obtain the associated data, with some exertion, the game player can obtain a large feeling of satisfaction by exertions to meet the game conditions to acquire the associated data.*

*The game player can perform the above described access and obtain the associated data related to the game without having to purchase a new game machine, by using the computer terminal 400 in an ordinary home.*

*The game machine 100 that provides the access-specific data and the game data distribution device 200 that provides the associated data will now be described in detail.*

*A functional block diagram of the game machine 100 in accordance with this embodiment of the invention is shown in FIG. 2.*

*The game machine 100 comprises a condition determination section 120 that determines whether or not the result of a game player, who is using an operating section 110 to operate the game, satisfies a predetermined game condition, and a communication section 130 that communicates access-specific data 142 to the game player if the game condition has been satisfied, for accessing associated data.*

*The game machine 100 comprises a selection condition determination section 122, a result condition determination section 124, and a time-period condition determination section 126 as the condition determination section 120, an image display section 132 and a sound reproduction section 134 as the communication section 130, and also a storage section 140 for storing the access-specific data 142.*

*In this case, the game conditions comprise at least one of a selection condition such that it is necessary for the game player to make a predetermined selection and a result condition such that it is necessary to achieve a predetermined result, together with a time-period condition such that the time at which the game is played must be within a predetermined time-period.*

*The selection condition corresponds to the selection of a character to play with or a course to play on, the result condition corresponds to consecutive wins at a combat game or the clearing of a game stage, and the time-period condition corresponds to a time in days such as from July 20th to October 10th, by way of example.*

*In this manner, the game player can be induced to play the game continuously by adding a time-period condition and changing the associated data that is supplied during each period.*

Claim 2

Independent claim 2 defines the claimed “game mastery apparatus” as having a distribution device that “distributes the mastery information according to mastery status information, which is obtained from the terminal apparatus, accumulated and stored, and indicates for a player individually on the basis of information for such player concerning a stage among said multiple stages of the executable multi-stage game to which a player has proceeded.”

Applicant argued that the distribution device 200 (Figs. 1 and 4), which distributes mastery information that advises a player how to master a game, does NOT receive mastery status information from the terminal apparatus, as claimed. Applicant pointed to the teachings in Onda that the Examiner relies upon, specifically at col. 3, lines 40-60, col. 5, lines 52-65, col. 10, lines 5-21 and col. 13, lines 1-27, and especially at col. 6, lines 36-43, to show that there is NO reception at the distribution device 200 of mastery status information from the terminal apparatus.

As illustrated in Fig. 1 and explained at col. 5, line 50 - col. 6, line 43 (reproduced above), a player will operate the arcade game 100 and can obtain access specific data 142. The access specific data 142 later may be used for accessing predetermined associated game-specific data 234 (hints or secret items), by satisfying a predetermined game condition. That access specific data 142 is in the form of a password or code for subsequent use on the home computer 400 for obtaining associated data in the nature of the hints or secret tricks 234. The flow of the arcade game in delivering such access specific data 142 is provided at col. 7, line 26 - col. 8, line 48 and is illustrated in Fig. 3.

The game data distribution device 200, as detailed in Figs. 4 and 5, is operative to provide the hints and tricks 234 to a user at a home terminal 400, upon input of the previously obtained code or password 142, as explained at col. 8 line 49 - col. 10, line 37. As already emphasized, the distribution device 200 does not receive from the terminal apparatus mastery status information indicating a stage to which an individual player has proceeded.

**No Direct Connection Between Terminal Executing the Game and the Distribution Device**

Claim 2 clearly requires a direct connection between the terminal that executes the game and the distribution device.

There is no such direct connection between the terminal that executes the game and the distribution device in Onda. In short, the game data distribution device 200 in Onda does not collect information about the player or the players operation of the arcade game. Instead, the Onda distribution device 200 is simply a storage that contains game specific data and delivers such data to any user having a particular password or code. The distribution device does not retain information as to the actual level such individual user has proceeded.

**No Individual Player Information is Used by a Game Data Distribution Device and No Mastery Status Information Obtained From a Terminal Apparatus**

Applicants argued at page 13 that the mastery information is not assembled for a player individually, but simply based on an input code that is applicable without regard to player identity.

The Examiner responds by asserting at page 9 that “Onda et al’s configuration is such that the distributed information from the distribution device is dependent on the player providing a player’s identification such as a password or an IP address (See col. 7, lines 66-col. 8 lines 1-4. Col 8, lines 44-48). Since identifiers such as IP addresses are unique, Onda teaches the concept of assembling the mastery information for a player individually.”

The Examiner’s logic completely ignores the plain meaning of the claim where it states that the mastery status information “ is obtained from the terminal apparatus, accumulated and stored, and indicates for a player individually on the basis of information for such player concerning a stage to which a player has proceeded.”

First, the terminal apparatus in Onda et al, according to the Examiner’s analysis, is the home computer 400. There is no mastery status information obtained from the home computer 400.

Second, the mastery information that a player obtains from the data distributor 200 is not for a player individually, i.e., for a specific player, as that term is used in the specification and file history of this application. The internet address of a given computer does not relate to a specific player individually. Any person may access via that computer.

### **Stamper**

Applicants again submit that Stamper does not remedy the basic deficiencies in Onda et al with respect to the invention, as now claimed and as identified above. Applicants submit that none of those deficiencies are remedied by the limited teachings in Stamper, which is cited for limited purposes..

### **Claim 17**

Claim 17 relates only to the terminal apparatus that receives game mastery support information and executes a multi-stage game. The apparatus has a display screen and a processing section which receives from a game mastery support apparatus distributed mastery information that is assembled for a player individually.

As already noted, the mastery information is not assembled for a player individually, but simply based on an input code that is applicable without regard to player identity.

### **Claim 23**

Claim 23 defines the invention as a computer readable medium having a processing program comprising a distributing routine for distributing mastery information to a terminal apparatus having a game execution function executable in stages and the mastery information being distributed on a stage-by-stage basis. The function is expressly made executable independent of the mastery information.

Applicants again would assert that there is no teaching or suggestion in the prior art that Onda et al should provide hints on the basis of individual player information. According to the basis teachings in Onda et al, only general hints would be obtained on the basis of a general code, even if the code is issued on a stage by stage basis. The claim states that information is provided for an individual player. For the reasons given above for claim 2, this claim also should be patentable.

**Claims 4-12, 14-16, 18, 20, 24 and 25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Onda et al (6,746,333) in view of Stamper et al (6,820,265) and further in view of Lee (6,475,089).** This rejection is traversed for at least the following reasons.

The Examiner also repeats the basis for rejection from the previous Office Action. With respect to the Applicants' arguments, the Examiner acknowledges the argument at page 14 of the previous amendment that "the home computer is not a terminal apparatus having a game execution function." The Examiner simply states that "home computers are well known to have game execution function." The Examiner completely ignores the thrust of the argument, namely that the players are identified individually, using a "player identifier" and the identifier is the basis for distributing the mastery information to a player individually.

The IP address of a computer has nothing to do with the identification of a player individually. Onda does not use player identifiers that are assigned to each player. Onda uses a code that can be employed by any player, and is not assigned. Stamper does not use individually assigned identifiers and Lee doesn't either. Thus, the three rejected independent claims 4, 18 and 24 are patentable for the reasons given in the previous Amendment.

#### **Claim 4.**

Claim 4, which defines the invention as having a distribution device for distributing mastery information to a terminal apparatus having a game execution function, as well as a ranking information distribution device which distributes ranking information pertaining to a rank of a player in a game. The mastery information is distributed on the basis of the ranking of the player.

The basic teachings of the three embodiment in Onda concern the distribution of mastery information to a home computer, not a terminal apparatus having a game execution function for executing a multi-stage game. In Onda, the arcade game 100 executes the game while the home computer 400 receives mastery information. The home computer is not a terminal apparatus having a game execution function according to the disclosure of Onda. Applicant respectfully challenge the Examiner to point to where a game execution function is taught in Onda for the home computer. Thus, this claim limitation would not be found in Onda alone or in combination with Stamper and Lee.



Applicant also would submit that the claims expressly state that the mastery information is distributed on the basis of information retained individually for each player. This clearly distinguishes over the combination of art. Also, there is no teaching or suggestion in Lee or Stamper for modifying Onda et al to have mastery information kept individually, as recited in the claim. Onda et al clearly treats the hints and secrets as generic information that gets distributed on the basis of a code, regardless of the identity of the game player.

#### **Claim 18**

This independent claim is directed to a terminal apparatus having a display screen and processing section that receives game mastery information according to particular stages attained by a player in a multi-stage game, and where the processing section receives distributed ranking information pertaining to the rank of a player in a game.

Here again, mastery information is provided on the basis of an individual player's identity. The claim requires the mastery information to be provided independent of the mastery information. The Examiner would have to use hindsight to define an apparatus that met the claim limitations.

#### **Claim 24**

Claim 24 concerns a method for distributing game mastery information, including the step of storing in a terminal apparatus relevant game and player identification information, as well as a flag for mastery information. The flag is stored in a mastery status management table in a game mastery support apparatus on a per user identifier basis. Onda et al clearly does not teach such storage, as already noted with regard to other claims. There is no teaching or suggestion in either Onda et al or Stamper et al that mastery information is kept on a per user basis. Lee would not be competent to suggest a modification of Onda et al alone or with Stamper without the use of hindsight. The two approaches (Onda et al is generic to all users while Lee involves rank specific to a user) are opposite and there is no teaching or suggestion to modify Onda et al on the basis of Lee.

**Dependent Claims**

The claims that depend from the above independent claims would be patentable for the reasons given above.

Finally, claims 3, 5, 6 and 20 would be allowable for the reasons given for their parent claims, and because Lee does not remedy the deficiencies of the rejection of those parent claims.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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Respectfully submitted,

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